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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AMERICAN ACADEMY OF EMERGENCY
MEDICINE PHYSICIAN GROUP, INC., a
Wisconsin Corporation,

Plaintiff,

vs,

ENVISION HEALTHCARE
CORPORATION; a Delaware Corporation;
ENVISION PHYSICIAN SERVICES LLC; a
Delaware Limited Liability Corporation doing
business in California,

Defendants.

Case No. 22-cv-421-CRB

**DECLARATION OF LANCE M. MARTIN
IN SUPPORT OF CALIFORNIA
MEDICAL ASSOCIATION'S MOTION
FOR ADMINISTRATIVE RELIEF FOR
LEAVE TO FILE AMICUS CURIAE
BRIEF IN SUPPORT OF PLAINTIFF'S
RESPONSE TO MOTION TO DISMISS**

Date: April 28, 2022
Time: 10:00 am
Courtroom: 6, 17th Floor
Judge: Hon. Charles R. Breyer

DECLARATION OF LANCE M. MARTIN

I, Lance M. Martin, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California. I make this declaration in support of the Motion of California Medical Association (“CMA”) for Administrative Relief for Leave to Brief as Amicus Curiae in Support of Plaintiff. I am an attorney with the CMA and counsel of record for the CMA. The facts stated herein are personally known to me, and if called as a witness I could and would competently testify to them.

2. Pursuant to Civil Local Rule 7-11(a), I conferred with Gerald Richelson, counsel for Plaintiff American Academy of Emergency Medicine Physician Group, Inc. (“AAEMPG”). I spoke with Mr. Richelson by telephone on March 23, 2022, seeking Plaintiff’s consent to CMA’s Motion for Administrative Relief for Leave to File Amicus Curiae Brief. Mr. Richelson responded that day stating that Plaintiff AAEMPG consents to CMA’s request to file an Amicus Curiae Brief.

3. Pursuant to Civil Local Rule 7-11(a), I conferred with Thomas Ryan, counsel for Defendants Envision Healthcare Corporation and Envision Physician Services, LLC (collectively, “Envision”). I spoke with Mr. Ryan by telephone on March 24, 2022 seeking Defendants’ consent to CMA’s Motion for Administrative Relief for Leave to File Amicus Curiae Brief. Mr. Ryan responded that day indicating that Defendant Envision could neither consent nor oppose CMA’s request to file an Amicus Curiae Brief at the time.

4. Accordingly, CMA seeks leave to file the Amicus Curiae Brief without the consent of the Parties.

Respectfully submitted,

Dated: March 25, 2022

CALIFORNIA MEDICAL ASSOCIATION
Center for Legal Affairs

By: /s/ Lance M. Martin

Lance M. Martin
Attorney for Amicus Curiae
CALIFORNIA MEDICAL ASSOCIATION

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on March 25, 2022. I further certify that all participants in the case are registered CM/ECF users, and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March, 2022.

/s/ Lance M. Martin

Lance M. Martin